

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

IN THE MATTER OF:)	Docket No: SRPD 00/01 SNS-4066
)	
Los Angeles Die Casting)	
340 Crocker Street)	STIPULATION AND ORDER
Los Angeles, California 90013)	
)	
EPA ID CAD 084 340 272)	
)	Health and Safety Code
Los Angeles Die Casting.)	
Respondent.)	Section 25187
_____)	

INTRODUCTION

The State Department of Toxic Substances Control
(Department) and Los Angeles Die Casting enter into this
Stipulation and Order (Order) and agree as follows:

1. A dispute exists regarding the Enforcement Order issued by the Department on December 1, 2000.
2. The parties wish to avoid the expense of further litigation and to ensure prompt action to achieve the Schedule for Compliance below.
3. Jurisdiction exists pursuant to Health and Safety Code (HSC) section 25187.
4. Respondent waives any right to a hearing in this matter.
- 5.1. Respondent's Tiered Permitting Phase I Environmental Checklist (Checklist) concludes that their facility requires no further investigation at this time.
- 5.2. This Order shall constitute full settlement of

the violations alleged in the Enforcement Order, but does not limit the Department from taking appropriate enforcement action concerning other violations.

SCHEDULE FOR COMPLIANCE

6. In response to the Enforcement Order Respondent submitted to the Department a completed Phase I Environmental Assessment(Phase I Checklist) as specified in HSC section 25200.14 (b) and Title 22 California Code of Regulations (Cal. Code. Regs.),section 67450.7 (a)(3), on December 15, 2000.

6.1. Submittals: All submittals from Respondent pursuant to this Order shall be sent to:

Yvonne Sanchez, Section Chief
Southern California Branch
State Regulatory Programs Division
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630-4700

6.2. Communications: All approvals and decisions of the Department made regarding such submittals and notifications shall be communicated to Respondent in writing by a Branch Chief, Department of Toxic Substances Control, or his/her designee. No informal advice, guidance, suggestions, or comments by the Department regarding reports, plans, specifications, schedules, or any other writings by Respondent shall be construed to relieve Respondent of its obligation to obtain such formal approvals as may be required.

6.3. Liability: Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take further actions as are necessary to protect public health or welfare or the environment.

PAYMENTS

7. Respondent shall pay to the Department a total of \$2,000.00, which is the penalty by June 23, 2001. Respondent's check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondent and Docket Number, as shown in the heading of this case. Respondent shall deliver the penalty payment to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 23rd Floor
P. O. Box 806
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:

Yvonne Sanchez, Section Chief
Southern California Branch
State Regulatory Programs Division
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630-4700

James J. Grace
Staff Counsel
Office of Legal Counsel
Department of Toxic Substances Control

1001 I Street
P.O. Box 806
Sacramento, California 95812

If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to HSC section 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

7.1. Additional Enforcement Actions: By agreeing to this Order, the Department does not waive the right to take further enforcement actions, except to the extent provided in this Order.

7.2. Penalties for Noncompliance: Failure to comply with the terms of this Order may subject Respondent to civil penalties and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by HSC section 25188 and other applicable provisions of law.

7.3 Parties Bound: This Order shall apply to and be binding upon Respondent and its officers, directors, agents, receivers, trustees, employees, contractors, consultants, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

EFFECTIVE DATE

8. The effective date of this Order is the date it is signed by the Department.

INTEGRATION

9. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this agreement.

Dated: May 29, 2001

(Signed Mel R. Hand)
Signature of Respondent's
Representative

Mel R. Hand, President
Typed or Printed Name and Title of
Respondent's Representative

Dated: June 4, 2001

(Signed Yvonne Sanchez)
Yvonne Sanchez
Section Chief
Southern California Branch
State Regulatory Programs Division